

NEW JERSEY MILITIA NEWSLETTER

Volume VIII, Issue No. XI

May 2003

All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.

-- Article 1, Section 1, New Jersey State Constitution

Judicial Panel Raps 9th Circuit

The U.S. Court of Appeals for the 9th Circuit questioned that circuit's recent anti-Second Amendment decision in *Silveira v. Lockyer*. One judge even wrote a concurrence showing the Second Amendment to guarantee individual rights. (*Nordyke v. King*, 2003 WL 347009, 9th Cir. 2003).

The *Nordyke* decision was written by Judge O'Scannlain, the issue being "whether a local ordinance prohibiting the possession of firearms on county property infringes upon rights protected by the First and Second Amendments." Promoters wishing to hold gun shows on county property brought the case against the county.

The court held the ban valid on its face under the First Amendment because gun possession generally is not speech. However, it noted that some guns are engraved with political messages, such as the NRA banner, a militia member, and the Second Amendment. "Where the symbols on the gun (not the gun itself) convey a political message, the gun likely represents a form of political speech itself." Such messages, together with other expressive activities typical of gun shows, could be the basis of an attack on the ban as invalid as applied to gun shows. The court stated, "our holding does not foreclose a future as applied challenge to the Ordinance."

In a previous case, the court held that a ban on offers to sell guns violated commercial free speech rights. But this case involved a ban on possession, not offers to sell. In short, the gun show promoters are free to bring a First Amendment challenge to the ordinance as applied to gun shows. But in this case, the court refused to recognize a First Amendment right

based on a facial challenge to a ban on gun possession on county property.

The Second Amendment was introduced into the case on appeal as a result of the Fifth Circuit's decision in *United States v. Emerson*. The court in *Nordyke* noted that the individual-rights view "has enjoyed recent widespread academic endorsement." Further, *Emerson* "engaged in a very thoughtful and extensive review of both the text and historical record surrounding the enactment of the Second Amendment. And if we were writing on a blank slate, we may be inclined to follow the approach of the Fifth Circuit in *Emerson*." However, the Ninth Circuit had already endorsed the "collective-rights" view in *Hickman v. Block* (1996), and the panel here was bound by that precedent. Without an en banc rehearing by eleven judges on the circuit, a three-judge panel cannot overturn circuit precedent.

Still, *Nordyke* sharply criticized the recent decision by another panel of the same court in *Silveira v. Lockyer* which went into great detail in an attempt to refute *Emerson* and the individual-rights view: "We feel that the *Silveira* panel's exposition of the conflicting interpretations of the Second Amendment was both unpersuasive and, even more importantly, unnecessary. . . . We ignore the *Silveira* panel's unnecessary historical disquisition as the dicta that it is . . ."

In a special concurrence, Appellate Judge Gould wrote that Hickman was "wrongly decided," that "the remarks in Silveira v. Lockyer about the 'collective rights' theory of the Second Amendment are not persuasive," and that the individual-rights view of Emerson should be adopted. Further, contrary to other Ninth Circuit precedent

(Fresno Rifle & Pistol Club v. Van de Kamp), States cannot violate the Second Amendment, for "maintenance of an armed citizenry might be argued to be implicit in the concept of ordered liberty and protected by the Due Process Clause of the Fourteenth Amendment."

Judge Gould proceeded to show in detail that the individual rights view "is most consistent with the Second Amendment's language, structure, and purposes, as well as colonial experience and pre-adoption history." "The introductory clause of the Second Amendment provides one justification, not the sole one, for the personal right that is granted. The introductory clause cannot properly be read to eliminate the substantive protection of 'the right of the people.'" Regardless of the meaning of "bear arms," "the distinct right to 'keep' arms is individual and a helpful antecedent to bearing arms in a militia."

Moreover, a militia not only protects against invasion, but guards "against the internal threat that our republic could degenerate to tyranny." Judge Gould explained:

Those who debated and framed the Bill of Rights were educated in practical political concepts and doubtless recognized that an opening gambit for tyrants is to disarm the public. If the Second Amendment is held to protect only a state-regulated militia, then there would be no constitutional bar to a federal government outlawing possession of all arms by hunters and those with legitimate needs for protection. A general confiscation of guns could become the order of the day. I believe that result is foreclosed by the salient purpose of the Second Amendment to

guard against tyranny, and that an individual right to keep and bear arms must be recognized."

As no right is absolute, reasonable regulation under the Second Amendment is possible under the theories that "(1) all weapons are not 'arms' within the meaning of the Second Amendment; (2) 'arms' protected may be limited to those consistent with use by an organized military force, as suggested in *Miller*; and (3) important government interests may justify reasonable regulation."

But "Restricting the Second Amendment to 'collective rights' of militias and ignoring individual rights of the people betray a key protection against the recurrent tyranny that may in each generation threaten individual liberty." Judge Gould eloquently closes:

"I reach this conclusion despite a recognition that many may think that these ideas are outmoded, that there is no risk in modern times of our government becoming a tyranny, and that there is little threat that others would invade our shores or attack our heartland.

"However, the Second Amendment was designed by the Framers of our Constitution to safeguard our Nation not only in times of good government, such as we have enjoyed for generations, but also in the event, however unlikely, that our government or leaders would go bad. . . . As the people bear the risk of loss of their freedom and the pain of any attack, our Constitution provides that the people have a right to participate in defense of the Nation. The Second Amendment protects that fundamental right."

Thus in the *Nordyke* case the three-judge panel agreed that (1) a ban on gun possession on county property does not on its face violate the right to free speech, but (2) that same ban as applied to gun shows might be a violation, and the plaintiffs here are free to bring such an action. Further, (3) the *Silveira* opinion was ill-advised and wrong, and the Ninth Circuit's prior Second Amendment cases should be reviewed. Judge Gould went further and positively embraced the individual-rights view of the Second Amendment, further undermining *Silveira* and buttressing *Emerson*.

-- NRA ILA

S&W Introduces .50 Caliber Revolver

SPRINGFIELD, Mass. (AP) - Dirty Harry is now outgunned: Smith & Wesson has introduced its biggest handgun ever, a .50-caliber Magnum.

The five-shot revolver with an 8 1/2-inch barrel weighs about 4 1/2 pounds - roughly a pound more than the big black .44 Magnum wielded by Clint Eastwood in the Dirty Harry movies. It fires a new .50-caliber cartridge that the company said produces nearly three times the muzzle energy of the .44 - or enough stopping power to bring down a charging bear.

"The primary market for it is hunting" big game, spokesman Ken Jorgensen said.

Some questioned the wisdom of producing a more powerful handgun.

"It boggles the mind," said Tom Ortiz, executive director of the Violence Policy Center. He predicted the new Magnum would create "a new order of threat to law enforcement."

The new gun, which sells for \$989, is one of nine models Smith & Wesson introduced this week at a trade show in Orlando, Fla. President Roy C. Cuny said it was the largest number of new introductions in recent years.

The introduction of the big gun marks a sharp departure for the 150-year-old company, which for the past five years has concentrated on the development of lightweight revolvers using alloys of rare metals.

Among the other new guns being introduced by Smith & Wesson is the industry's lightest-ever .44 Magnum. It has a 4-inch barrel, scandium frame and titanium cylinder, and weighs in at 1 pound, 10 1/2 ounces.

"We see this as an opportunity for backpackers," Cuny said. "A light firearm of this caliber, in fact, provides protection against bears and other big things."

Despite a spike following the terrorist attacks on the World Trade Center and Pentagon, handgun sales have long been on the decline in the United States, and Smith & Wesson has struggled along with other gunmakers.

But Smith & Wesson, long the industry leader, also lost business in recent years after striking a deal with the Clinton administration in 2000 to install safety locks on all its guns and change its marketing practices. Other gunmakers decided not to follow Smith & Wesson's lead, and gun advocates accused the company of selling out.

In 2001, the ailing gunmaker was sold by its British owner to an Arizona startup company that all but

abandoned the agreement with the government and adopted an aggressive and unapologetic marketing stance.

--Feb. 23, 2003

Militia Waits for Call up

By John Strauss

An Indiana militia group says it's willing to do its part in the war on terrorism.

The answer from state and local officials is -- um, don't wait by the phone.

Among those offering the help is conservative talk show host Stan Solomon -- make that Pvt. Solomon of the Indiana Citizens Volunteer Militia.

Solomon broadcasts an afternoon show on WPZZ-FM (95.9) from a studio on Monument Circle. Even there, he keeps a pistol strapped to his side.

"Our system calls for the militia to be called up in times of national need. This sounds like one of those times," he said.

Ron Norton, spokesman for the Citizens Volunteer group, said its members are prepared to assist with first aid and weapons training.

"People hear the word 'militia,' and automatically they think of extremists -- crazy people running around," he said.

"We're not anti-anything. We're not antigovernment. We're pro-community, pro-family. We try to keep politics out of the organization, because it leads to nothing but chaos and arguments among members."

Norton said the group would be happy to help if called upon by the governor or local sheriffs.

That's one call that's not likely to happen.

"Militias are historically so anti-government that I don't think you would really want them in the fold," said Robert Snow, an Indianapolis police captain and author of the 1999 book *Terrorists Among Us: The Militia Threat*.

"And none of these groups are organized enough so that you could count on them."

Marion County Sheriff Frank Anderson said police don't need the militia at this point.

"The different law enforcement agencies are meeting, and we have plans to deal with situations that might arise," he said. "We're not asking for any particular assistance, other than for citizens to report any suspicious activity."

Some militia members have

In the beginning of change the patriot is a scarce man, brave, hated and scorned. When his cause succeeds, however, the timid join him, for then it costs nothing to be a patriot. -- Mark Twain

engaged in enough of their own.

In 2001, police in Bloomington arrested two leaders of a militia group for allegedly planning the execution of a third member whom they suspected of betraying them. The plot was blown when the hit man they thought they were hiring turned out to be an undercover State Police officer.

Many of today's groups describe themselves as moderate militias and reject the more extreme beliefs typical of militias in the early 1990s.

That's fine, but if they want to help fight terrorism, leave the guns behind, said Clifford Ong, director of the Indiana Counter-Terrorism and Security Council.

Ong said people who wanted to help with emergency preparedness probably would be welcome at the Red Cross.

And if militia members still want to enlist in something, there's another group always looking for soldiers -- the Salvation Army.

-- *Indianapolis Star*

Lack of Search Warrant Trips Social Workers

Erie County, OH -- A home schooling family has settled its case against Erie County social workers and Vermilion police for the coerced entry into the family's home on Feb. 21, 2001.

"Courts have settled this key issue in other jurisdictions, and now it's settled in this jurisdiction. Social workers cannot enter a home, willy-nilly, without a warrant," said Gary McCaleb, an attorney with the Alliance Defense Fund, the national legal organization based in Scottsdale, Arizona, that supported the case.

Paul and Linda Walsh filed a lawsuit after police and caseworkers entered their home without a warrant and without permission. The social workers said they were acting on an anonymous tip about unspecified "hazards" in the home, and claimed they had a right to enter the home without a warrant.

The social workers threatened the family, saying that if they were not allowed in the home they would take the children away from the parents. In papers filed with the court, the Walshes said that a social worker even blocked their driveway with her car when the family tried to leave to attend a church function that evening.

The social worker summoned police, who frisked Mr. Walsh and threatened to arrest him on charges of obstructing official business if he did not

allow the caseworkers into the home. Walsh said that he then allowed the workers to enter the home rather than risk being jailed.

The caseworkers found nothing in the home that constituted an immediate hazard to the family.

Instead of tolerating official abuse, the Walshes sued the caseworkers, the Erie County Department of Job and Family Services, the Erie County Board of Commissioners, the City of Vermilion, Ohio; and three Vermilion police officers.

Defendants told the court that the Fourth Amendment prohibitions against illegal searches and seizures do not apply to them in such circumstances. They asked the court to throw the case out, but the court refused. The court said the facts supported the Walshes' claims against the defendants for unreasonable searches and seizures, as well as for false imprisonment, assault, battery, and infliction of emotional distress.

In a forceful opinion, US District Judge James G. Carr wrote: ***"Despite the Defendants' exaggerated view of their powers, the Fourth Amendment applies to them, as it does to all other officers and agents of the state whose requests to enter, however benign or well-intentioned, are met by a closed door. There is...no social worker exception to the strictures of the Fourth Amendment. ...Any agency that expects to send its employees routinely into private homes has a fundamental obligation to ensure that those employees understand the constitutional limits on their authority."***

The court stated that because the Walshes refused consent, and because the anonymous complaint did not supply persuasive evidence of an emergency, the caseworkers had no option but to either "leave the [Walshes] alone and in peace" or seek a search warrant.

The court further ruled that the police did not have probable cause to detain, frisk, and threaten to arrest Walsh, since he was not breaking any law but merely asserting his "fundamental right to be left alone."

Kurt D. Anderson, a partner with the Elyria firm of Fauver, Keyse-Walker & Donovan, representing the Walshes, said "As far as we could tell, nobody in Ohio had ever challenged a caseworker's home inspection for failure to get a warrant....It's just a reminder that we have to be vigilant and assertive about protecting our rights. They can be

trampled on even by well-meaning but uninformed government agents."

Anderson expects that as a result of the Walsh case, training policies will be revised for social workers across the state of Ohio. "The caseworkers in the Walsh case admitted they had never been taught anything about the Fourth Amendment or search warrants. The feedback I'm getting is that agencies across the state have gotten a wake-up call on this issue."

Anderson declined to reveal the specific amount of the settlement, which was not stated in the court record.

For more information about home schooling and the law, please contact the Home School Legal Defense Association, an ally of the Alliance Defense Fund. HSLDA attorney Scott Somerville can be reached at (540) 338-5600.

The Alliance Defense Fund is a servant organization serving people of faith. The Alliance Defense Fund provides strategy, training, and funding in the legal battle for religious liberty, sanctity of life, and traditional family values.

"The reigns of good princes"

George W. Bush is a man of overt, and apparently quite sincere, Christian convictions. His personal dignity and self-restraint offer a blessed and welcome contrast to the adolescent corruption of his predecessor. But his personal rectitude does little public good when it's wedded with the exercise of unaccountable power. In his *Second Treatise on Government*, John Locke cites the ancient maxim ***"the reigns of good princes have been always the most dangerous to the liberties of their people."***

Locke points out that the acts of benevolent rulers become especially dangerous "when their successors, managing the government with different thoughts, would draw the actions of those good rulers into precedent and make them the standard of their prerogative -- as if what had been done only for the good of the people was a right in them to do for the harm of the people, if they so pleased."

It is a point that has been made by us before, but it bears repeating: Supporters of President Bush must remember that the powers he exercises represent precedents for future presidents. Those powers could be inherited by evil or corrupt presidents.

It's not difficult to imagine the uses to which such people could put the Bush administration's claimed power to imprison, without trial or judicial review, U.S. citizens designated "unlawful combatants" by presidential decree.

Furthermore, while President Bush's private conduct seems to reflect his Christian beliefs, his political conduct, like that of Bill Clinton, reflects a belief in what has been called the "Civil Religion" -- that is, the public worship of the state as God. Devised by Jean-Jacques Rousseau, the intellectual architect of the French Revolution, the Civil Religion has been the creed of every modern totalitarian state.

Describing the impact of Rousseau's Civil Religion in late 18th Century France, historian Arnold Toynbee writes: "In the French Revolution a sinister ancient religion which had been dormant suddenly re-erupted with elemental violence. This revenant was the fanatical worship of collective human power. The Terror was only the first of the mass-crimes that have been committed ... in this evil religion's name."

President Bush's most recent State of the Union Address contained a brief but telling doxology inspired by that murderous religion -- the "worship of collective human power." Outlining foreign and domestic agendas nearly utopian in their ambition, the president declared: "There's power, wonder-working power, in the goodness and idealism and faith of the American people."

This was a none-too-subtle allusion to the chorus of an old Christian hymn "Power in the Blood," which testifies: "There is power, power, wonder working power, in the blood of the Lamb...."

In the president's formulation, the redemptive power of Jesus Christ -- whom Christians worship as God was replaced by the collective power of the American people, as regimented by the state and directed by the president.

How can this be construed as anything other than a grave and shocking blasphemy -- and a brazen assertion of essentially limitless political power?

China Introduces Death Vans

The introduction of mobile execution vans, in which condemned prisoners are put to death by lethal injection, has been hailed in Chinese media as "a more humane method of dispatch".

Two farmers from Yunnan province convicted of heroin trafficking "benefited from the latest advance in China's judicial system", the *Beijing Today* newspaper reported.

Earlier Yunnan's legal authorities approved the use of 18 specially converted vans, to be distributed among the province's 17 intermediate courts and its high court. Shortly afterwards, the farmers died peacefully within one minute of receiving their fatal shots in one of the new vans, which in photographs look like ordinary police vans except that they are emblazoned with the word "Court".

The normal execution method in China is a bullet by firing squad to the back of the head, but lethal injection has been allowed since a revision of the criminal code in 1997. Yunnan chose the vans on the grounds of efficiency and cost: in a very big province, they bypass the logistical difficulties of transporting prisoners to execution grounds.

"With lethal injection, only four people are required to execute the death penalty: one executioner, one member of the court, one from the procuratorate and one forensic doctor. A dozen guards are also required to keep watch around the van," the paper said.

"In contrast, many more guards are needed for firing squads, both around the site and along the route from the prison. If the case is well-known and complicated, security needs to be further enhanced and extra expenses are incurred."

Professor Wang Shizhou of Beijing University said it was a "very sad development".

"You can say it is a positive development compared with a gunshot, but you can also say it is a negative development. It will encourage executions," he said.

In China there are 320 listed criminal offences, of which 68 -- or about one in seven, including many white-collar crimes -- are punishable by death. In recent months, a cautious public debate has begun in which scholars and legislators have expressed concern about the likelihood of wrongful executions. At a conference on the death penalty late last year, the removal of economic crimes from the list of offences punishable by death was

proposed as a first step towards abolition of the death penalty.

China has never revealed how many prisoners are executed each year, but it is estimated at about 10,000.

Since 1998, a total of 819,000 Chinese have been either condemned to death or jailed for more than five years, the president of China's Supreme Court said this week.

-- *The Australian*, March 13, 2003

Why?

America has a half-million troops stationed around the world, mostly to protect the borders of foreign countries and this does not include the troops currently being dispatched to the Middle East to take on Iraq.

Why does America today need to station 69,203 troops in Germany 58 years after WWII and after the fall of the Iron Curtain?

Why are 11,190 stationed in Italy?

Another 11,207 stationed in Great Britain?

Why does America need to have 40,159 in Japan, which, like the European nations, is as affluent as America and capable of defending itself?

America has another 38,565 in South Korea to protect against intrusions from communist North Korea.

There are 2,008 American troops in Turkey to help protect Turks against the Kurds of northern Iraq. -- *American Free Press*

Constitution "inappropriate, anachronistic"

On September 19, 2002, President Bush requested Congress to support his efforts to enforce United Nations Security Council resolutions regarding Iraq. When the request came before the House International Relations Committee chaired by Henry Hyde (R-IL) Congressman Ron Paul (R-Texas) sought to amend it by adding a declaration of war. Dr. Paul explained that he intended to vote against his own amendment but wanted congressmen who supported going to war against Iraq to satisfy the Constitution's "declaration

of war" requirement. "I attempted to force the committee to follow the Constitution and vote to declare war with Iraq," he said.

In response to the Texan's proposal, Chairman Hyde stated: "There are things in the Constitution that have been overtaken by events, by time. Declaration of war is one.... These things are no longer relevant to a modern society." He termed the call for a return to the clear meaning of the Constitution "inappropriate, anachronistic." Committee Minority Leader Tom Lantos (D-Calif.) agreed with Hyde and said, "I detect of touch of frivolity and mischief" in Paul's amendment. Congressman Ed Royce (R-Calif.) also agreed and announced his support for the president's request because, by itself, he maintained, "It permits the President to wage war."

Congressman Paul's amendment went down to defeat at the committee level by a vote of 45 to 0. On October 10th, the full House acceded to Mr. Bush's wishes with a 296 to 133 vote, and the Senate followed through the next day with a 77 to 23 approval. Congress had thereby authorized the president to go to war, if he decided it was necessary to enforce UN resolutions.

All members of Congress have sworn a solemn oath to support the Constitution. Their willingness to discard any portion of the document threatens all of it. Article I, Section 8 clearly states: "The Congress shall have power ... to declare war...." Those who claim that the Constitution's designation of the president as "commander in chief" gives him the same power are wrong.

What Mr. Hyde and others will not admit is that, ever since our nation entered the United Nations, we have compromised the Constitution regarding war powers and much more.

-- New American April 7, 2003

With Friends Like These...

UNIVERSITY HEIGHTS, Ohio - The government has room to scale back individual rights during wartime without violating the Constitution, Supreme Court Justice Antonin Scalia said [March 18].

"The Constitution just sets minimums," Scalia said after a speech at John Carroll University in suburban Cleveland. "Most of the rights that you enjoy go way beyond what the Constitution requires."

Scalia, one of the court's most conservative judges, was responding to a question about the Justice Department's pursuit of terrorism

suspects and whether their rights are being violated

Scalia did not discuss what rights he believed are constitutionally protected, but said that in wartime, one can expect "the protections will be ratcheted right down to the constitutional minimum. I won't let it go beyond the constitutional minimum."

-AP March 23, 2003

It's Been Said

* Transvestite: A guy who likes to eat, drink and be Mary.

* The difference between the Pope and your boss -- the Pope only expects you to kiss his ring.

* My mind works like lightning. One brilliant flash and it's gone.

* The only time the world beats a path to your door is if you're in the bathroom.

* I hate sex in the movies. Tried it once. The seat folded up, the drink spilled and that ice, well it really chilled her mood.

* It used to be only death and taxes were inevitable. Now, of course, there's shipping and handling, too.

* A husband is someone who, after taking the trash out, gives the impression that he just cleaned the whole house.

* My next house will have no kitchen -- just vending machines and a large trash can.

* "I was worried my mechanic might rip me off," said the blond. "I was relieved when he told me all I needed was turn-signal fluid."

* I'm so depressed. My doctor refused to write me a prescription for Viagra. He said it would be like putting a new flagpole on a condemned building.

* My neighbor was bit by a rabid dog. I went to see how he was and found him writing frantically. I told him rabies could be cured and he didn't have to worry about a will. He said, "Will? What Will? I'm making a list of the people I wanna bite."

* Definition of a teenager: God's punishment for enjoying sex.

Doctors Recommend Potassium Iodide Stores

CHICAGO (AP) - The American Academy of Pediatrics recommended that homes, schools and child-care centers near nuclear power plants keep pills on hand that would prevent thyroid cancer in the event of radiation release.

Bioterrorism concerns helped prompt the new policy of recommending the potassium iodide pills, according to Dr. Sophie Balk, a New York

pediatrician who heads the academy committee that wrote the policy.

The academy posted the policy late last week on its Web site and plans to publish it in the June edition of its medical journal, Pediatrics.

The policy is aimed at those within 10 miles of nuclear plants. Schools and child-care facilities within that distance should stockpile the pills and develop plans for how to distribute them, the academy said.

"It may be prudent to consider stockpiling potassium iodide within a larger radius because of more distant wind-borne fallout, as occurred after Chernobyl," the 1986 Ukrainian nuclear plant catastrophe, the academy said.

Since the Sept. 11 attacks, federal nuclear regulators have made potassium iodide available to states with nuclear plants.

Potassium iodide can block the body's absorption of harmful radiation and help prevent thyroid cancer, which can result from excessive radiation. The nonprescription pills are available at some pharmacies, over the Internet and by phone from some distributors.

Children are especially vulnerable to the effects of radiation, in part because they're closer to the ground, where fallout settles, and because their bodies absorb and metabolize substances differently.

There are different forms of radiation that pose various health dangers, including increasing the risk of several types of cancer. Potassium iodide protects against one type of radiation - radioactive iodine - and one type of cancer - thyroid.

When ingested, the pills flood the thyroid and block inhaled radioiodines from being absorbed by the gland, located at the base of the neck. The thyroid gland produces hormones that help regulate body metabolism and which are essential for normal growth in children.

It works best if given immediately before or immediately after a radio-iodine exposure," said Dr. Michael Shannon, a pediatrician and toxicologist at Children's Hospital in Boston and Harvard Medical School. He helped write the new policy.

One pill should protect a child for 24 hours, enough time for them to be evacuated from a disaster area or for the radioactive fallout to dissipate, Shannon said.

The pills are not effective against the type of radiation that most likely would be used in so-called dirty bombs, he said.

- April 8, 2003

Ed.: the prevailing westerly winds dictate that every New Jersey militiaman add at least a two week supply of potassium iodide pills to his bug out bag and first aid kit.

A Short History of British Gun Control

By Robert A. Waters

On August 22, 1999, a farmer named Tony Martin of Emneth, Norfolk, England, killed one burglar and wounded a second with a shotgun. In April, 2000, Martin was sentenced to life in prison.

How did it become a crime to defend one's own life in the once great British Empire?

It started with the Pistols Act of 1903. This seemingly reasonable law forbade selling pistols to minors or felons and established that handgun sales were to be made only to those who had a license.

The Firearms Act of 1920 expanded licensing to include not only handguns but all firearms except shotguns. Laws passed in 1953 and 1967 outlawed the carrying of any weapon by private citizens and mandated the registration of all shotguns.

Momentum for total handgun confiscation began in earnest after the Hungerford mass shooting in 1987, when a mentally disturbed man with a Kalashnikov rifle killed 17 people.

The British public, already desensitized by eighty years of "gun control", demanded even tougher restrictions. (The seizure of all privately owned handguns was the objective even though the killer used a rifle.)

Nine years later, at Dunblane, Scotland, Thomas Hamilton used a semi-automatic weapon to murder 16 children and a teacher at a public school.

Day after day, week after week, the media gave up all pretense of objectivity and demanded a total ban on all handguns. Over the years in which the British government incrementally took away most gun rights, the notion that a citizen had the right to armed self-

defense came to be seen as vigilantism. Authorities refused to grant gun licenses to people who were threatened, claiming that self-defense was no longer considered a reason to own a gun. Citizens who shot burglars or robbers or rapists were charged while the real criminals were released.

Indeed, after the Martin shooting, a police spokesman was quoted as saying, "We cannot have people take the law into their own hands." All of Martin's neighbors had been robbed numerous times, and several elderly people were severely injured in beatings by thugs who had no fear of the consequences. Martin himself, a collector of antiques, had seen most of his collection trashed or stolen by burglars.

When the Dunblane Inquiry ended, citizens who owned handguns were given three months to turn them over to local authorities. The few who didn't were visited by police and threatened with ten-year prison sentences if they didn't comply. Police later bragged that they'd taken nearly 200,000 handguns from private citizens. How did the authorities know who had handguns?

The guns had been registered and licensed. Kinda like cars.

Sound familiar?

Senator Lautenberg Speaks

The House has voted 285-140 to ban lawsuits seeking to hold gun makers accountable for the actions of criminals who misuse their products. But a group of U.S. senators hope to block the legislation.

Sen. Frank Lautenberg (NJ) believes such lawsuits should go forward.

"The reality is that the gun industry engages in improper conduct," he charged, complaining of "corrupt dealers that sell to criminals."

"And they want to do it," he charged. "This isn't an accident. It's deliberate," Lautenberg continued. "That's their market, and they don't care what the moral or the physical implications are."

Ted Novin of the National Rifle

Association said Lautenberg's accusation is "obviously false."

And Speaking of Jersey Politicians...

Ed.: two NJ Congressmen are sponsoring firearms bills in the 108th Congress:

*H.R. 124 (Rep. Rush Holt, 12th District): This bill would require the establishment of a system for the registration of every handgun possessed in the United States, unless a state in which a handgun is located also has a system of handgun registration. Any person possessing an unregistered handgun would be subject to a 15 year prison sentence.

*H.R. 776 (Rep. Robert Andrews, 1st District): This bill would require every firearms manufacturer and importer to conduct ballistics tests on all firearms manufactured and imported -- and make the results available to the Attorney General (BATFE) for a database which could be accessed by law enforcement agencies throughout the country.

* * *

"A general state education"

"A general state education is a mere contrivance for moulding people to be exactly like one another; and as the mould in which it casts them is that which pleases the predominant power in the government, whether this be a monarchy, a priesthood or an aristocracy, or the majority of the existing generation, in proportion as it is efficient and successful, it establishes a despotism over the mind, leading by natural tendency to one over the body."
-- John Stuart Mill

* * *

Lord Acton wrote: "[f]or Centuries it was never discovered that education was a function of the State, and the State never attempted to educate. But when modern absolutism arose, it laid claim to everything on behalf of the sovereign power."

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ISSN 1523-4657

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